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BEFORE THE ARIZONA CORPORATION COMMISSION

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WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

Arizona Corporation Commission

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IN THE MATTER OF THE GENERIC
PROCEEDINGS CONCERNING ELECTRIC
RESTRUCTURING ISSUES

Docket No. E-00000A-02-0051

IN THE MATTER OF ARIZONA PUBLIC
SERVICE COMPANY'S REQUEST FOR A
VARIANCE OF CERTAIN REQUIREMENTS OF
A.A.C. R14-2-1606

Docket No. E-01345A-01-0822

IN THE MATTER OF THE GENERIC
PROCEEDING CONCERNING THE ARIZONA
INDEPENDENT SCHEDULING
ADMINISTRATOR

Docket No. E-00000A-01-0630

IN THE MATTER OF TUCSON ELECTRIC
POWER COMPANY'S APPLICATION FOR A
VARIANCE OF CERTAIN ELECTRIC
COMPETITION RULES COMPLIANCE DATES

Docket No. E-01933A-02-0069

STAFF'S ISSUE LIST

On September 24, 2002, the Administrative Law Judge ("ALJ") assigned to this matter ordered all parties to file a list of unresolved issues by October 1, 2002. The Arizona Corporation Commission staff ("Staff") hereby files its issue list as required by that procedural order.

At the workshops held on September 26 and 27, 2002, the parties agreed upon a list of the remaining areas in dispute. The following list sets forth those agreed-upon subjects:

- 1) Unmet Needs of APS
- 2) Prices to Beat
- 3) Arizona Corporation Commission Approvals
- 4) Third Party Solicitation Manager/Duties

1 5) Affiliate Code of Conduct

2 6) Least Cost Planning Proceeding

3 7) Demand Side Management and Environmental Risk Mitigation Process.

4 For the ALJ's assistance, Staff is providing an additional list that more specifically describes
5 the issues associated with each area of dispute. The following list represents Staff's formulation of
6 the issues and was not agreed upon by the parties.

7 1) What portion of APS' load represents its unmet needs?

8 2) How should Staff determine and use the "prices to beat"?

9
10 3) When should the Commission evaluate the prudence of the contracts that result from this solicitation?

11
12 4) Should the utilities be permitted to conduct the solicitation, or should those duties be entrusted to an independent third party?

13 5) What standards of conduct should govern communications between the utility and its affiliate? To what degree, if at all, should personnel from a utility's affiliate be permitted to participate in the conduct of the solicitation?

14
15 5) Should the Commission adopt a least cost planning proceeding?

16
17 6) Should the Commission initiate a proceeding to address demand side management and environmental risk mitigation?

18
19 The September 24th Procedural Order also directed the parties to file proposed schedules for
20 the conduct of the hearing in this matter. Staff has already submitted a proposed schedule in a
21 previous filing, and believes that schedule to be reasonable. For the ALJ's convenience, those
22 proposed dates are as follows:

23 1) Staff Report - October 25, 2002;

24 2) Prefiled testimony from other parties - November 8, 2002;

25 3) Responsive testimony from Staff - November 15, 2002; and

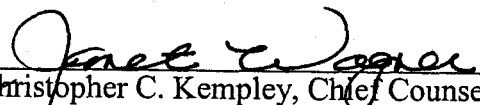
26 4) Hearing to commence - November 20, 2002.

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1 Staff requests that the ALJ issue a procedural order adopting the dates set forth herein.

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3 RESPECTFULLY SUBMITTED this 1st day of October 2002


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6 
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13 Original and fifteen copies of the foregoing
14 filed this 1st day of October, 2002,
15 with:

16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, AZ 85007

20 The foregoing e-mailed this 1st day
21 of October, 2002, to:

22 All Track B parties of record

23 
24 Nancy Roe
25 Assistant to Janet F. Wagner
26
27
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